

APPROVED: Meeting No. 19-92

ATTEST: 

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 15-92

April 21, 1992

The Mayor and Council of Rockville, Maryland, convened in Worksession in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on April 21, 1992, at 7:00 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Rose G. Krasnow

Councilmember James T. Marrinan

ABSENT

Councilmember David Robbins (Business Travel)

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: Worksession with Board of  
Supervisors of Elections

Maury Ward, Chairperson, and Board members Audrey Impara, John Keefe, Ruth Loevinger and Margaretta Tutson discussed the following with the Mayor and Council:

Public Forum Regarding 1991 Election

Judging from the lack of response, Mr. Ward indicated that it appears there was general satisfaction in terms of administration of the election. The only negative feedback concerned the

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wording of the charter referenda questions and pilferage of campaign signs.

Discussion followed regarding enforcement of the campaign sign regulations, and there was general agreement that the only problem has been placement of the signs in the right-of-way.

It was noted that the same day voter registration process worked well.

With respect to release of voter turnout information to campaign workers at the polling sites, Mr. Ward informed the Mayor and Council that he did not feel that this has been a problem.

Questions were raised regarding leaving campaign fund accounts open beyond an election cycle, and it was recommended that an account be closed out before the next election cycle and any remaining funds transferred into a new account.

#### Term Limits

Mayor Duncan reported that draft language specifying a particular term limit would be prepared and placed on the next ballot. He asked if the Board was interested in becoming involved in this process, and Mrs. Loevinger responded that she would like to have this option. It was agreed that Councilmember Robbins would attend a future Board of Supervisors of Elections meeting to discuss this matter in more detail.

#### Voting by Non-Citizens

For a variety of reasons, the Board feels that this is not an appealing idea. John Keefe read a statement setting forth the Board's unanimous opposition to granting voting rights to non-citizens in the City. The Mayor and Council agreed.

#### Revision of Complaint Procedures

Mr. Ward indicated that concern had been expressed by Councilmember Marrinan with respect to the complaint procedures. Councilmember Marrinan stated that when a complaint is clearly

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frivolous, it should not be left open for public debate. He recommended the following:

1. The Board should have the authority to immediately dismiss a frivolous complaint.
2. If there is any substance to the complaint, it should be processed as quickly as possible. He stressed "urgency and immediacy."
3. If a complaint clearly is of a criminal nature, it should be referred to the State's Attorney for investigation; it is unfair to ask this Board to sit in judgment.

Councilmember Coyle commented that serious charges may require investigative services and that the Board should have resources available. The City Attorney responded that staff could investigate complaints.

Mayor Duncan asked that the Board review their procedures to determine where changes are necessary.

#### Campaign Fund Reports

Councilmember Marrinan feels that the reports are unnecessarily complex and act as a disincentive to individuals participating in City elections. A request was made that the Board attempt to simplify the forms.

(At this time, the City Attorney left the meeting.)

Re: Worksession with  
Recreation and Park  
Advisory Board

Steve Edwards, Chairperson, and Board members Genie McKay, F. Terry Baker, Robert Taylor, Paula Strain, Aimee Jennings and Dirk Schenck discussed the following with the Mayor and Council:

Mr. Edwards stated the Board's charge to:

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1. review the City's relationship with various recreation organizations; and
2. review the relationship with Rockville Baseball Association.

The Board has undertaken these two projects in order to develop a more formal relationship with organizations using City facilities and to deal with these organizations in a consistent manner. With respect to item number 1, a subcommittee of the Board developed an application for use of City facilities by resident organizations on a non-fee paying basis. This application was reviewed by staff and the legal office.

Mr. Baker advised that this application would cover groups such as the Rockville Baseball Association, the Rockville Football League and the National Chamber Orchestra. It is a standard/base contract which can be amended with the specific conditions required of each group.

The applicants/organizations would be required to maintain and make available to the City adequate financial records. Additionally, these organizations are required to conduct open, scheduled meetings at which minutes are kept, and these minutes should be provided routinely to the City.

Mayor Duncan suggested that this application be sent out as a draft to all applicable groups with a request for comments before it is finalized.

Councilmember Krasnow questioned paragraph number 7 of the application stating that the City's recognition of the group as a resident organization may be suspended or terminated upon five days' notice. It was agreed that there be adequate notification prior to termination of the agreement.

#### Youth Baseball League Model/RBBA

Mr. Edwards advised that the City's relationship with the RBBA had been reviewed as

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a separate issue, and a two-phase approach was taken.

With respect to the boundary issue which arose as a result of the school boundaries being changed, RBBA was given a three-year phase in period. Notice has been sent to RBBA that the boundaries will be enforced, effective for the '93 baseball season. It was clarified that this applies only to new members; current members can continue to play if they live outside the boundaries.

The second phase focused on the development of a youth baseball league model. In this regard, Board member Pat Greaney established a working relationship with Mike Melvin, President of RBBA. The model which has been developed over the past six months has not yet been adopted by RBBA. The model follows NYSCA standards, and Board member Aimee Jennings reviewed the age groups and sections of the model concerning accountability.

Mayor Duncan suggested that the Board sit down with RBBA and anyone else who should review and comment on this model, including Montgomery County Baseball Association and Montgomery Village Sports Association. Mike Melvin, President of RBBA, recently came to see Mayor Duncan, and Mr. Melvin was assured that nothing of this nature would be adopted until RBBA had an opportunity for review and input.

Councilmember Coyle asked if the Board is aware of any serious problems with sports groups. Ms. McKay responded that the groups generally handle their own problems internally.

Clarification was provided that programs, such as RBBA, are City programs run by volunteers. As to Councilmember Krasnow's inquiry regarding whether facility availability could ever be a major problem, it was noted that the demand currently exceeds the supply but cutting back on participation by non-residents is being used as a means to ensure adequate field availability.

Ms. McKay requested that the Board have input in recreational areas for new

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developments, such as Rose Hill Falls.

Re: Worksession with Historic  
District Commission

Dean Brenneman, Chairperson, and Commission members Alice Kelly and Michael Patterson discussed the following with the Mayor and Council:

Overview of Commission Activities

The Commission's budget request for FY93 is \$4,000. During FY92, the Beall-Dawson Master Plan was reviewed by the Historic District Commission, archaeological digs were held by Montgomery County Historical Society, and a landscape master plan was developed for the Beall-Dawson House.

The Commission's representative, Alice Kelly, is working with the Civic Center Mansion Subcommittee, and it has been a smooth process thus far. Mayor Duncan agreed, commenting that he had read the status report.

Mr. Brenneman reported that they are progressing with the neighborhood studies and are working now with Lincoln Park.

With respect to the Wire Hardware, the period in which the sales contract may be cancelled by Peerless Rockville is drawing to a close. The roof and chimney of the hardware are being repaired now. An environmental impact study is required and, hopefully, a contract will be negotiated soon for this purpose. If all goes well, settlement should take place on May 18.

Interest has been expressed by Peerless Rockville in potentially accelerating the City's CIP projects for the Baltimore Road area, including landscaping, construction of a brick sidewalk and installation of lighting fixtures.

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Beall-Dawson House Technical Workshops

This proposed program, in addition to preserving a significant historic building, will serve as a public relations tool for public education in the maintenance of historic structures. Workshops will be held with experts who will study the building and develop working specifications during the workshop. This volunteer-oriented program will result in the creation of specifications at a small cost to the City. The proposed budget (\$3,000) is primarily to set up the facilities, acquire speakers and literature for the workshops. The Commission would also like to carefully survey participants to determine if they are benefitting from any Historic District programs already in place.

Historic District Evaluation Program

The next focus is a three-phase program, the first of which is to identify all historic resources in Rockville and to research, analyze and document the resources. Funding in the amount of \$1,000 is requested in FY93 for this project. The remaining two phases will be implemented in subsequent fiscal years and include an analysis of the Historic District Commission process and programs and an evaluation of these programs and process in order to increase their effectiveness.

Discussion followed regarding the proposed Beall-Dawson House workshops and how such programs would be beneficial to City Government employees as well as Rockville residents.

The subject of sprinkler systems in historic buildings was raised by Councilmember Coyle, and it was agreed that he would attend a future Commission meeting to discuss this issue in more detail.

Re: Worksession with Rockville  
Sister City Corporation

Leah Barnett, President, and members Peter Hartogensis, Dick Knorpp, Jackie Mosely and Elizabeth Von Kaenel discussed the following with the Mayor and Council:

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35th Anniversary Planning

The Sister City Corporation has been in communication with officials in Pinneberg, and the exact dates of Rockville's delegation trip to Pinneberg and the Pinneberg delegation's visit to Rockville have not yet been confirmed. The Symphony Orchestra and the fire brigade's visits will take place between October 3 and 18. Mayor Duncan requested that some type of event be planned in their honor.

Discussion followed regarding the anticipated costs of the Rockville delegation trip and the fact that these costs would be offset to some degree by fundraising activities of the Corporation at Oktoberfest and the Antique and Classic Car Show this fall.

It was agreed that once the dates have been confirmed, the Mayor and Council will get together with the Corporation to review the budget and planned activities in more detail. Don Vandrey, staff liaison, will coordinate the anniversary activities.

Student Exchange Program

Next year, Rockville will send a student, Inga Vandrey, to Pinneberg for a full year. Rockville host families are still needed, and the Corporation is preparing guidelines setting forth expectations of the parties to assist prospective host families.

The spring social is scheduled for Sunday, May 17, at 2:00 p.m. at the Bavarian Inn.

Re: Worksession with Animal  
Matters Board

Dorothy Perreca, Chairperson, and Board member Gayle Byrne discussed the following with the Mayor and Council:

Animal Matters Board Mediation

Mrs. Perreca stated that seven cases have been brought before the newly created Board.



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These have been relaxed, neighborhood discussions focusing on both sides of the issue. Only one case has gone on to the Animal Review Official. Uncontrolled barking for long periods of time and improper care of animals are the type of cases mediated by the Board.

Fourteen cases have been heard by the Animal Review Official thus far, and these are primarily concerned with aggressive behavior. The designation of "potentially dangerous" was discussed as well as the registration and tattooing of guard dogs.

The Mayor and Council agreed that only positive comments have been received regarding the new structure.

#### Educational Information Sharing Progress

The Board is concerned with the lack of information and knowledge of residents regarding animal matters, and Mrs. Perreca indicated that a number of information items are being circulated through the City's water bills, mailings to owners of registered dogs and handouts at local veterinarian offices concerning licensing, vaccination, dealing with wildlife, etc. On May 9, the City will be holding a rabies clinic for dogs and cats.

#### Census/Licensing

Last summer, with the assistance of 18 students employed in the City's Summer Youth Employment Program, an animal census was conducted, resulting in the addition of 422 homes. There were 251 homes contacted requiring no follow-up and 62 requiring follow-up. As a result, 3,450 licenses were issued in 1992 as compared to 2,770 in 1991.

This was the first census done in the last 10 years.

#### Off-Leash Testing

Gayle Byrne presented statistics regarding this testing which is conducted the third

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Saturday of each month.

One-Year Evaluation

In order to raise the consciousness of residents, Mrs. Perreca offered a number of suggestions:

- o cable channel to educate viewers regarding the off-leash testing and general licensing requirements;
- o human interest stories with segments on pet care;
- o providing instruction in schools by Neighborhood Services Officers so that children understand the responsibility of pet ownership and caring for animals;
- o continued distribution of information on City regulations at local veterinarian offices.

Mayor Duncan requested staff to follow up on these suggestions.

Re: Worksession with Traffic  
and Transportation  
Commission

Alan Levine, Chairperson, and Commission members John Borden, Harold Frohman, Louis Fuerst, Stanley Klein, William Meyer and Herbert Pennock discussed the following with the Mayor and Council:

Wootton Parkway Sidewalk/W. Edmonston to Fleet

Louis Fuerst addressed this issue, both as a private citizen and a Commission member. As a private citizen, he indicated that in recent weeks he has become concerned over pedestrian traffic along Wootton Parkway between West Edmonston and Fleet Street. Because there is no sidewalk on either side of that portion of the parkway, many children and some adults walk toward Rockville Pike in the north side right lane of oncoming traffic. Drivers speed westbound, blowing their horns at the

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children who have nowhere to walk but in the roadway.

As a Commission member, he indicated that the lack of a pedestrian walkway on Wootton Parkway between West Edmonston Drive and Fleet Street was discussed at the last Commission meeting. All members felt that Rockville must become more pedestrian friendly. Many programs are underway to make our streets passable to the walking public. A major road has just opened with a small portion which is not pedestrian friendly.

The Commission was told that the designers of the road felt that pedestrians would not want to walk along that stretch of roadway and, as a result, did not incorporate the sidewalk. If the Commission's input had been solicited, a recommendation may have been made to install a sidewalk the entire length of the Parkway.

The Commission was also informed that there is some room remaining for a walkway along the stretch between West Edmonston and Fleet Street, but that it will have to abut the roadway. Despite this existing shortcoming, the Commission requests that the stretch of sidewalk be built as quickly as possible. We want the pedestrians of Rockville to feel that all parts of the city are accessible, including the entire length of Wootton Parkway.

Mayor Duncan requested that a staff report be provided as soon as possible and that a separate CIP item for the sidewalk be prepared so that the Mayor and Council can take action.

#### Curb Ramps--FHWA/ADA Compliance

Staff noted that the City's ramp program has been underway since 1984 prior to implementation of the Americans with Disabilities Act and the Federal Highway Administration directive. A total of 1,669 corner ramps have been built or are under construction in the City, leaving 725 remaining locations at which ramps should be built. The total cost of this project is \$377,000,

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and approximately \$45,000 has been expended annually on corner ramps.

Staff is currently drawing plans for submission to FHWA within the next few weeks. The Commission will be making a presentation to the Human Rights Commission regarding the curb ramp program.

#### Crossing Rockville Pike

Mr. Levine advised that the Commission has spent a great deal of time on this issue and has developed a number of alternatives, as follows:

1. Increase pedestrian clearance times for crossing Rockville Pike, using the slower walking speeds set forth in City policy. (These are regulated by Montgomery County and, thus, the County's permission is required for this change.)

2. Reduce cycle times at signalized intersections, either in conjunction with increasing pedestrian clearance times or in lieu of.

Concern was expressed that this alternative could increase traffic congestion on the Pike.

3. Ensure that all crosswalks are marked and cross-hatched.
4. Replace all text type pedestrian signal displays with symbolic type.
5. Replace existing push-button identification signs with the City's larger "educational" signs.

6. Restore signalized pedestrian crossing on the south side of Congressional Lane at Rockville Pike. (Montgomery County removed this crossing without SHA authorization several years ago.)

7. Install supplemental "yield to pedestrians in crosswalk" signs at all right turns controlled by "yield" signs. Two locations are affected, one at Congressional Lane and one at

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Twinbrook Parkway.

8. Install ramps at all corners presently not so provided.

9. Investigate need for improved street lighting in the vicinity of intersection pedestrian crossings.

10. Subsidize short-hop transit trips in the area. It was noted that some seniors have been paying the full Ride-On bus fare to cross Rockville Pike. Mayor Duncan requested that staff follow-up with the County/Ride-On regarding this matter.

Staff advised Councilmember Coyle that there is no room to improve the waiting areas to cross Rockville Pike.

There was discussion as to finishing the sidewalks along Rockville Pike and reference made to the CIP project, sidewalk links, which does include some portions along the Pike.

Councilmember Coyle referenced the "right on red" policy. There are critical intersections where it should not be allowed, and the City Manager responded that the City already has some marked.

#### Status of Pedestrian Policies Generally

Mr. Levine reported that a great amount of work has been done in this area and they would like to be able to take the many studies and synthesize them into a general set of pedestrian policies.

Mayor Duncan questioned the status of the Town Center pedestrian study and requested that staff speak with the owners of Magruder's parking lot regarding pedestrian traffic.

Councilmember Coyle suggested that Rockville's cable channel initiate some pedestrian-oriented programming.

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Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:05 p.m., to convene again in General Session at 7:30 p.m. on April 27, 1992, or at the call of the Mayor.